

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION**

KERRY L. WILLIAMS,)	
)	
Plaintiff,)	
v.)	Case No. 2:13-cv-204-JMS-WGH
)	
INDIANA DEPT. CORRECTIONS, et al.,)	
)	
Defendants.)	

Entry Denying Motion for Preliminary Injunction

The plaintiff's motion for preliminary injunction requests that the Court order the defendants to stop violating his constitutional rights. He alleges that the defendants are violating his rights 1) by placing two offenders in a 12x7 cell, and 2) by prohibiting Sunni Muslims from participating in group prayer, wearing religious headwear, honoring requests for cell-mates based on religious compatibility, and receiving religious meals. The plaintiff alleges that the relief he seeks is "an order compelling the defendants to perform their preexisting duties under the U.S. Constitution."

"[A] preliminary injunction is an extraordinary and drastic remedy, one that should not be granted unless the movant, *by a clear showing*, carries the burden of persuasion." *Goodman v. Illinois Dept. of Financial and Professional Regulation*, 430 F.3d 432, 437 (7th Cir. 2005) (internal quotation omitted). To warrant preliminary injunctive relief, the movant must first establish that he has "(1) no adequate remedy at law and will suffer irreparable harm if a preliminary injunction is denied and (2) some likelihood of success on the merits." *Ezell v. City of Chicago*, 651 F.3d 684, 694 (7th Cir. 2011).

The plaintiff has failed to make a clear showing that he is entitled to the relief he seeks. First, the plaintiff has not shown that he lacks an adequate remedy at law. The plaintiff has filed this civil rights lawsuit seeking the same relief. The complaint will be screened for viable claims pursuant to 28 U.S.C. § 1915A after the initial partial filing fee has been paid. There is no basis for issuing an injunction at this stage of the litigation without participation of the defendants. Second, contrary to the plaintiff's assertions, he has failed to show that absent such injunction, he will suffer irreparable harm.

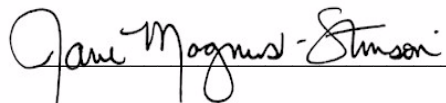
For these reasons, the plaintiff has failed to carry his burden of persuasion and his motion for preliminary injunction [dkt. 3] is **denied**.

IT IS SO ORDERED.

Date: 06/21/2013

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A handwritten signature in black ink, reading "Jane Magnus-Stinson". The signature is written in a cursive, flowing style.

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana